

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ~~WP (C) No. 5383~~ सन् 2007

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<u>PETITIONER:</u> <u>RESPONDENTS:</u> (Petition under Article 226/227 of the Constitution of India) <u>Division Bench: -</u> <u>Hon'ble Shri L.C. Bhadoo &</u> <u>Hon'ble Shri Sunil Kumar Sinha. JJ.</u> <u>8-10-2007:-</u> Shri Ravish Verma, counsel for the petitioner. Shri D.K. Gwalre, Additional Public Prosecutor for the State/ respondents No.1, 2 and 5.	K.S.N. Murty, S/o LATE K.V.R. MURTY, age - 60 years, R/o Raj Kishore Nagar, Tehsil - Distt. - Bilaspur (C.G.) -Versus- 1. State of Chhattisgarh, Thr. Secretary, Dept. Home affairs, D.K.S. Bhawan, Raipur C.G. 2. Superintendent of Police, Distt. - Bilaspur [C.G.] 3. Rakesh Kumar Mahant, s/o R.D. Mahant, Aged about 22 years, R/o Near Kendriya Vidyalaya, Shankar Nagar, Raipur [C.G.] 4. Superintendent, Nari Niketan, Raipur, Distt. - Raipur [C.G.] 5. Station House Officer, Police Station - Sarkanda, Bilaspur, Tah. - Distt. - Bilaspur [C.G.]



मामला क्रमांक सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Ms. K. Sandhya, daughter of the petitioner, has been produced by the Station House Officer, Police Station Sarkanda, Bilaspur. Statement of K. Sandhya was recorded in the presence of learned counsel for the petitioner. She has been asked certain questions by learned counsel for the petitioner. As per the report of ossification test dated 22-9-2007 Ms. Sandhya is aged about 18 years. She also submits that her original date of birth is 24-10-89. Kind of allegations leveled by her in her statement against the father and brother are serious. She has further stated that she wants to remain according to her own free will. At present she does not want to go to the house of her parents. She also stated that when she went to her parents' house from Nari Niketan, she was thrown out of the house and was not allowed to remain in the house. Before S.D.M., Bilaspur, the petitioner herein gave a statement on 16-5-2006 that he is not ready to take Ms. K. Sandhya to his residence unless she is medically examined. Today once the matter was called at 11 a.m., thereafter it was ordered that the matter will be taken up in Chamber at 1.15 p.m., even then the petitioner is not present, whereas he is residing in Bilaspur itself. Learned counsel for the petitioner informed that he has gone to the hospital, but he has not returned back to the house. In view of the conduct of the petitioner as also statement of Ms. K. Sandhya given before us, looking to her age as per the ossification test, we are of the considered opinion that she should be allowed to go and reside as per her own free will. It will not be in the interest of justice and	

मामला क्रमांक wp(c) 5383/07 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
Barve	also K. Sandhya that she should be handed over to her parents. Ordered accordingly. With the above observation, the petition is disposed of. Sd/- L.C. Bhadoo Judge	Sd/- Sunil Kumar Sinha Judge

10/11/12